



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 6, 1998

Ms. Pamela Wolek
Assistant City Attorney
City of Amarillo
Legal Department
P.O. Box 1971
Amarillo, Texas 79105-1971

OR98-0632

Dear Ms. Wolek:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 113550.

The Amarillo Police Department (the "department") received a subpoena duces tecum from the State of Colorado Executive Department for information relating to a specific hit and run accident. You state that you have treated the subpoena as a request under the Texas Open Records Act and seek to withhold the requested information pursuant to section 552.108 of the Government Code.

It is clear to this office, however, that the requested information is not being sought pursuant to the Open Records Act, but rather pursuant to the subpoena. This office therefore declines to issue an open records ruling regarding this matter.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, reading "June B. Harden", is written over a horizontal line.

June B. Harden
Assistant Attorney General
Open Records Division

JBH/gle

Ref.: ID# 113550

Enclosures: Submitted documents

cc: Mr. Thomas M. Henson
George D. Browning & Associates
9191 Sheridan Blvd., Suite 310
Westminster, Colorado 80030
(w/o enclosures)